

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services – Engg. - PH & ME Department - Promotion of Sri A.Linga Murthy, Dy.EE, Ramagundam Municipal Corporation to the Post of Executive Engineer as per the orders dt.28.04.2014 in OA No.2176 of 2014 of Hon'ble APAT – Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (C1) DEPARTMENT

G.O.MS.No. 50.

Date:28.02.2015

Read the following:

1. G.O.Rt.No.236 to 256 MA&UD Department, dt:03.03.2006.
2. Orders dt:25.08.2008 in O.A.No.6435/2008 filed by Sri A.Linga Murthy, Dy.EE.
3. C.A.No.7251 of 2014 in OA No.6435 of 2008.
4. Orders of the Hon'ble High Court dt: 18.11.2013 in WP No.31121 of 2013
5. G.O.Rt.No.132, MA&UD (Vig.IV) Department, dated.25.03.2014.
6. Orders dt.28.04.2014 of the Hon'ble APAT in OA No.2176 of 2014.
7. From the ENC(PH), Hyd., Lr.No. 84/S1 /CS1/TS/2014, dt:19.06.2014.

O R D E R :

Government have framed charges against Sri A.Linga Murthy, while he was working as Assistant Executive Engineer in Warangal Municipal Corporation along with 21 other officials, vide G.O.1st read above.

2. Sri A.Linga Murthy, Deputy Executive Engineer, has filed OA No.6435 of 2008 in the matter. The Hon'ble Andhra Pradesh Administrative Tribunal in its orders dt: 25.08.2008 has directed to consider the case of the applicant for promotion without reference to the disciplinary proceedings. The Departmental Promotion Committee was conducted on 06.07.2013 to fill up the post of Executive Engineers for the panel year 2012-2013 from the panel of 67 candidates. The name of Sri A.Linga Murthy, was deferred until termination of the disciplinary proceedings. The Government have filed Writ Petition No.31121 of 2013 assailing the above orders of the Andhra Pradesh Administrative Tribunal in OA No.6435 of 2008. The Hon'ble High Court in its order dt:18.11.2013 has dismissed the Writ Petition and held that there is no valid explanation for abnormal delay caused in completing the disciplinary proceedings and there is no reason to discriminate in the case of the applicant while considering the case of other employees for promotion against whom similar charges were framed.

3. Subsequently, Government have issued orders in the GO 5th read above imposing the punishment of reduction in the time scale of pay by one stage for 3 years against the applicant and all other 21 officials.

4. Aggrieved by the action of the Departmental Promotion Committee in not considering his case for promotion and also for imposition of the above punishment, the individual has filed OA No.2176 of 2014. The Hon'ble Andhra Pradesh Administrative Tribunal in its orders dt.28.04.2014 while allowing the OA has set aside the above GO with a direction to the respondents to consider the case of the applicant for promotion to the post of Executive Engineer.

5. Accordingly, the Chief Engineer (PH), Hyderabad in the letter 7th read above, has submitted necessary proposals to consider the request of the incumbent on par with his juniors on same analogy of promotion of Sri N.Sudhakar Rao and others to avoid legal complication in the matter.

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6. Government after careful examination and taking in to consideration of the orders of the Hon'ble Andhra Pradesh Administrative Tribunal dt.28.04.2014 in OA No.2176 of 2014, hereby order to effect promotion to Sri A.Linga Murthy, Deputy Executive Engineer, Ramagundam Municipal Corporation to the post of Executive Engineer.

7. Accordingly, Sri A.Linga Murthy, Deputy Executive Engineer, is hereby promoted as Executive Engineer under Rule 10(a) of Andhra Pradesh State and Subordinate Service Rules, 1996 as per Rule -3 of the Special Rules of Andhra Pradesh PH & ME Service Rules, with usual pay and allowances applicable to the post from time to time subject to the following conditions:

- a) that the promotion to the post of Executive Engineer is in exigency of service and is purely on adhoc basis and subject to disposal of disciplinary cases pending against them and outcome of O.As/R.Ps/C.As/W.Ps/SLPs, if any pending in court.
- b) that he is liable to be replaces and reverted without assigning any reason and without any notice.
- c) that the individuals should join in the new post within 15 days the date of receipt of this order, failing which they shall forego their promotion both for the present and future as per rule 11(b) of AP State and subordinate Service Rules,1996.
- d) that the promotion to the post of Executive Engineer is subject to outcome of disciplinary cases pending against him and also court cases thereon.

8. The Chief Engineer (PH), Hyderabad shall take further necessary action accordingly in the matter and submit the necessary proposals for posting of the individual.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

M.G.GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer (Public Health), Hyderabad.
Sri A.Linga Murthy, Dy.EE, Ramagundam Municipal Corporation
through the Chief Engineer (PH), Hyderabad.
The Government Pleader for MA&UD Department (Ser), APAT, Hyderabad.
Copy to:
PS to Principal Secretary to Chief Minister.
PS to Principal Secretary to MA&UD Department.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER